

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN BOB DEPRATU**, on February 25, 2003 at 9 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bob DePratu, Chairman (R)
Sen. Bob Story Jr., Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. John C. Bohlinger (R)
Sen. Jon Ellingson (D)
Sen. Jim Elliott (D)
Sen. Bill Glaser (R)
Sen. Dan Harrington (D)
Sen. Walter McNutt (R)
Sen. Mike Taylor (R)
Sen. Ken Toole (D)

Members Excused: None.

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Shirley Herrin, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: SB 453, 2/21/2003; SB 443,
2/21/2003
Executive Action: None

HEARING ON SB 453

Opening Statement by Sponsor:

9:01 **SEN. BOB KEENAN, SD 38, Bigfork** "Revising types of property in classes nine and thirteen".

Proponents' Testimony:

9:03 Don Judge, Teamsters Local # 190

Opponents' Testimony:

9:05 David Hoffman, PPL Montana **EXHIBIT(tas42a01)**
EXHIBIT(tas42a02) EXHIBIT(tas42a03) EXHIBIT(tas42a04)
EXHIBIT(tas42a05) EXHIBIT(tas42a06)
9:16 Jim Mockler, Exec. Dir., MT Coal Council
9:18 Mary Whittinghill, MT Taxpayers Assoc.
9:19 Webb Brown, MT Chamber of Commerce
9:20 Holly Franz, Attorney, Advanced Silicon Materials Inc.

Questions from Committee Members and Responses:

9:21 Begin
9:23 **SEN. JIM ELLIOTT** questioned Ken Morrison of PPL Montana
9:29 **SEN. JIM ELLIOTT** questioned Brad Spencer, CEO, PPL
9:34 Questioning continued
9:50 **SEN. KEN TOOLE** questioned Brad Simshaw, Dept. of Revenue, who referred the question to Gene Walborn, Dept. of Revenue.
9:52 Questioning continued
10:01 Ended
40 min Time elapsed

Closing by Sponsor:

10:01 **SEN. KEENAN** closed on SB 453.

HEARING ON SB 443

Opening Statement by Sponsor:

10:04 **SEN. MIKE TAYLOR, SD 37, Proctor** "Income tax credit on capital gain from sale of income-producing property".

Proponents' Testimony:

10:08 Mary Whittinghill, MT Taxpayers Assoc.
10:09 Webb Brown, MT Chamber of Commerce
10:10 Carl Schweitzer, Kalispell & Bozeman Chambers of Commerce
10:11 Tom Figarelle, Forward Montana

10:12 Ronda Carpenter, MT Coin Operators Assoc. and Great Falls Area Chamber of Commerce

Opponents' Testimony: None

Questions from Committee Members and Responses:

10:13 Begin
10:18 Ended
5 min Time elapsed

Closing by Sponsor:

10:18 **SEN. TAYLOR** closed on SB 443.

10:19 **CHAIRMAN DE PRATU** announced he had received a letter from the Minority Leader, Jon Tester, asking if the Senate Taxation Committee would request a Committee Bill to address the problem of two different property owners on a single tax statement. **EXHIBIT (tas42a07)**. After a brief discussion **SEN. STORY** moved that the Committee request a COMMITTEE BILL. Motion carried 8-0.

EXECUTIVE ACTION ON SB 378

10:25 **Motion:** **SEN. STORY** moved that SB 378 BE AMENDED SB037801.alh **EXHIBIT (tas42a08)**. Lee Heiman addressed the amendments. **Vote:** Motion carried unanimously.

Discussion:

10:28 Begin
10:31 **Motion:** **SEN. JIM ELLIOTT** moved that SB 378 BE TABLED. **SEN. ELLIOTT** withdrew his motion. **Substitute Motion:** **SEN. TAYLOR** made a substitute motion that SB 378 be postponed until after the transmittal. Motion carried.

EXECUTIVE ACTION ON SB 433

10:32 **Motion:** **SEN. TAYLOR** moved that SB 433 BE AMENDED SB043302.alh **EXHIBIT (tas42a09)**. Lee Heiman addressed the amendments. **Vote:** Motion carried unanimously.
10:35 **SEN. JIM ELLIOTT** moved that SB 433 be postponed until after transmittal. **Vote:** Motion carried unanimously.

CHAIRMAN DE PRATU appointed **SEN. TAYLOR**, **SEN MC NUTT** AND **SEN. ELLINGSON** to serve on a Sub-Committee on SB 407.

ADJOURNMENT

Adjournment: 10:38 A.M.

SEN. BOB DEPRATU, Chairman

SHIRLEY HERRIN, Secretary

BD/SH

EXHIBIT (tas42aad)